

DECLARATION FOR PATENT APPLICATION

Attorney Docket No: **10420-1080**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **TELESCOPIC POULTRY SHACKLE**, the specification of which:

- ☒ is attached hereto.
- ☐ was filed on _____ as Application Serial No. _____.
- ☐ was filed on _____ under U.S. Express Mail No. _____.
- ☐ is set forth in PCT International Application No. _____; filed on _____ and as amended Under PCT Article 19 on _____ (if any).

I/we hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I/we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I/we hereby claim the benefit under Title 35, United States Code, §119 of any United States provisional patent application, foreign application(s) for patent or inventor's certificate listed below and have also identified below any United States provisional patent application, foreign application for patent or inventor's certificate having a filing date before that of the above-identified application on which priority is claimed: **NOT APPLICABLE.**

I/we hereby claim the benefit under Title 35, United States Code, §120 of any United States patent application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I/we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application: **NOT APPLICABLE.**

I/we hereby appoint the following attorneys/agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: **George M. Thomas, Reg. No. 22,260; James W. Kayden, Reg. No. 31,532; Scott A. Horstemeyer, Reg. No. 34,183; Stephen R. Risley, Reg. No. 35,659; Jeffrey R. Kuester, Reg. No. 34,367; Daniel J. Santos, Reg. No. 40,158; Michael J. Tempel, Reg. No. 41,344; Daniel R. McClure, Reg. No. 38,962; Robert E. Stachler II, Reg. No. 36,934; David P. Kelley, Reg. No. 17,420; Reg. No. 41,344; David R. Risley, Reg. No. 39,345; Jon E. Holland, Reg. No. 41,077; Dan R. Gresham, Reg. No. 41,805; J. Scott Culpepper, Reg. No. 41,692; M. Paul Qualey, Reg. No. 43,024; Robert P. Biddle, Reg. No. 35,826; Robert A. Blaha, Reg. No. 43,502; Jennifer M. Gruber, Reg. No. 42,601; Raymond W. Armentrout, Reg. No. 45,866; Cynthia J. Lee, Reg. No. 46,033; N. Andrew Crain, Reg. No. 45,442; Monica A. Winghart, Reg. No. 46,790; Sami O. Malas, Reg. No. 44,893; Marianne H. Parker, Reg. No. 46,165; Eric M. Ringer, Reg. No. 47,028; Larry E. Thompson, Reg. No. 41,346; Adam E. Crall, Reg. No. 46,646; William F. Heinze, Reg. No. 36,161.**

Please address all telephone calls, in the first instance, to George M. Thomas at telephone number: (770) 933-9500.

Address all correspondence to:

**George M. Thomas, Esq.
THOMAS, KAYDEN, HORSTEMEYER
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100 Galleria Parkway, N.W., Suite 1750
Atlanta, Georgia 30339-5948**

Applicant or Patentee: Larry Moriarty

Serial or Patent No.: To Be Assigned

Filed or Issued:

For: **TELESCOPIC POULTRY SHACKLE****VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 C.F.R. §1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

☐

the owner of the small business concern identified below:

☒an official of the small business concern empowered to act on behalf of the
concerned identified below:NAME OF CONCERN: DAPEC, INC.ADDRESS OF CONCERN: 884 Univeter Road, Canton, GA, 30115

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled:

TELESCOPIC POULTRY SHACKLEby inventor(s): Larry Moriarty

described in

☒

the specification filed herewith.

☐

application serial no. _____, filed _____.

☐

patent no. _____, issued _____.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

NAME: _____

ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME: _____

ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any changes in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Peter Goffe 

TITLE OF PERSON OTHER THAN OWNER: Vice President

ADDRESS OF PERSON SIGNING: DAPEC INC., 884 Univeter Road, Canton, GA 30015

SIGNATURE  _____

Date 12/30/00